

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Charles Muserlian on March 25, 2010.

The application has been amended as follows:

CLAIMS

Claims 1-4, 8, and 10-12 have been amended as follows:

1. (Amended) A method of making an outer lever of a finger lever that can be switched to different lifts for at least one gas exchange valve, said outer lever comprising two substantially parallel arms whose ends are connected by crossbars so that a rectangular or O-like aperture for an inner lever that is capable of pivoting relative to the outer lever is formed, a running contact surface for a high-lift cam being arranged on an upper side of each arm said method of comprising the following work steps to which further intermediate steps may be added:

a) deep drawing a cup-shaped base body out of a metal sheet or a sheet metal strip such that at least one drawing die is applied to the metal sheet or the sheet metal strip from an underside of the arms to be formed and a substantial height of the arms and the crossbars in the cup-shaped base body is produced, so that, as viewed in cross-section, an inverse U-shaped profile is formed,

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b) reducing a radius in the edge region between a bottom of the cup-shaped base body and outer sides of the arms by shaping, typically stamping or extrusion at least in the region of the running contact surfaces to be subsequently formed, and

c) punching out the bottom of the cup-shaped base body except for at least the two opposing running contact surfaces-, and

wherein simultaneously with, or directly or indirectly after step a), a further step is carried out in which the drawing die or at least one further drawing die or a stamping die is applied to the bottom in deep drawing direction in a vicinity of the end, so that, one of a laterally open or closed lug-like cavity is formed, and the material of the cavity is also punched out in step c) except for an extension starting from the crossbar said one of the end, and

wherein a finger pointing in a longitudinal direction of the lever is punched out of the bottom simultaneously with the running contact surfaces, which finger is bent away from the aperture in a consequent step so as to project upwards from the crossbar.

This claim has been amended to include the limitations of claims 2 and 3 to provide the independent claim with allowable subject matter previously found in the combination of dependent claims 2 and 3.

2. (CANCELLED)

3. (CALCELLED)

These claims have been cancelled because the entirety of the claimed subject matter has been incorporated into independent claim 1.

4. (Amended) A method of claim 21 wherein the cavity extends from a center crossbar.

8. (Amended) A method of claim 21 wherein step c) is followed by a further step d) in which two aligned receptions are one of punched or bored into the arms in the vicinity of the crossbar that is opposed to the crossbar comprising the cavity, and said receptions serve to receive an axle for the pivoted mounting of the inner lever relative to the outer lever.

10. (Amended) A method of claim 31, wherein the finger extends from a center of the crossbar.

11. (Amended) A method of claim 710, wherein the running contact surfaces made in step c) extend approximately at a center of the arms.

12. (Amended) A method of claim 31, wherein step c) is followed by a further step d) in which two aligned receptions are one of punched or bored into the arms in a vicinity of the crossbar that is opposed to the crossbar comprising the finger, and said receptions serve to receive an axle for a pivoted mounting of the inner lever relative to the outer lever.

These claims have been amended to create proper dependencies among amended claims.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance: The claims after amendment have been found to be patently distinct and non-obvious over Examiner's best prior art.

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3. Regarding US Patent 5,016,582 (Hereinafter referred to as MILLS), MILLS teaches a rocker arm produced by the steps of punching, deep drawing and reducing, but does not teach the method steps going to a finger punched from a drawn crossbar and bent as recited by applicant.
4. Regarding US Patent 5,655,490 (hereinafter referred to as NAGANO), NAGANO teaches a rocker arm produced by the steps of punching, deep drawing and reducing, but does not teach the method steps going to a finger punched from a drawn crossbar and bent as recited by applicant.
5. Regarding European Patent Application EP 0 849 463 A1 (hereinafter referred to as CALKA), CALKA teaches a stamped "Finger Follower Arm" but does not teach the method steps going to a finger punched from a drawn crossbar and bent as recited by applicant.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JACOB J. CIGNA whose telephone number is (571) 270-5262. The examiner can normally be reached on Monday - Friday 9:30am - 5:00pm EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JACOB J CIGNA/
Examiner, Art Unit 3726
March 30, 2010

/DAVID P. BRYANT/
Supervisory Patent Examiner, Art Unit 3726